



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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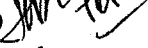
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County Counsel

October 24, 2012

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO 
Assistant County Counsel
Law Enforcement Services Division

RE: Romarion White v. County of Los Angeles, et al.
United States District Court Case No. CV 11-01439

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of November 7, 2012

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled Romarion White vs. County of Los Angeles, et al., United States District Court Case number CV 11-01439 in the amount of \$1,800,000 plus payment of a \$65,300.29 Medi-Cal lien, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of excessive force against the Sheriff's Department.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Romarion White v. County of Los Angeles, et al.
CASE NUMBER	Case No. CV 11-01439 GAK (AJWx)
COURT	United States District Court
DATE FILED	Complaint filed February 23, 2011 Claim filed February 17, 2011
COUNTY DEPARTMENT	Sheriff's Department Contract Cities Trust Fund
PROPOSED SETTLEMENT AMOUNT	\$ \$1,800,000 plus payment of \$65,300.29 Medi-Cal lien
ATTORNEY FOR PLAINTIFF	Brian Dunn The Cochran Firm
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>Plaintiff Romarion White alleges that he was subjected to excessive force and a violation of his civil rights when he was shot by a Sheriff's Deputy who was responding to a "man with a gun" call. Mr. White was struck once in the torso and is now a paraplegic.</p> <p>We believe the Deputy's use of force was reasonable and that he was acting in self-defense. A witness who observed Mr. White earlier that evening confirmed that he had a gun at that time; however, no gun was found at the scene.</p>

Due to the risks and uncertainties of litigation, and the fact that the cost of Mr. White's future medical care alone exceeds the amount of the settlement, a full and final settlement of the case in the amount of \$1,865,300.29 is recommended.

PAID ATTORNEY FEES, TO DATE	\$	21,970
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PAID COSTS, TO DATE	\$	4,080
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Case Name: Romarion White v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Saturday, February 5, 2011; approximately 9:56 p.m.
Briefly provide a description of the incident/event:	<p><u>Romarion White v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-025</p> <p>On Saturday, February 5, 2011, at approximately 9:56 p.m., a Los Angeles County deputy sheriff received a radio call of a man who had reportedly pointed a gun at children.</p> <p>When the deputy sheriff arrived at the scene, he saw a man who matched the description of the man described in the call. The deputy sheriff instructed the man to lie on the ground. The man ignored the deputy's instructions and ran away.</p> <p>The man abruptly stopped, changed direction, and began to run directly toward the deputy with his hands in his waistband. He again ignored the deputy's instructions and began to pull his hands from his waistband. The deputy, believing the man had a handgun, discharged his weapon at the man. He was struck once and fell to the ground.</p> <p>The man was treated at the scene by paramedics from the Los Angeles County Fire Department and subsequently transported by ambulance to Antelope Valley Hospital. Blood tests revealed he was under the influence of PCP.</p> <p>No weapon was found at the scene.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In his lawsuit, the plaintiff alleged negligence, battery, and a violation of his civil rights.

This section intentionally left blank.

County of Los Angeles
Summary Corrective Action Plan

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.


The Los Angeles County Sheriff's Department's training curriculum sufficiently addresses the circumstances which occurred in this incident.

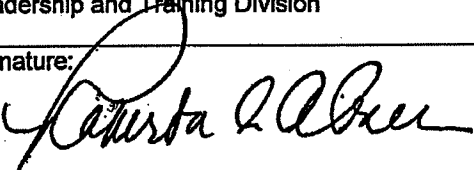
This incident was thoroughly reviewed by the members of the Los Angeles County Sheriff's Department's Executive Force Review Committee. Their review revealed no employee misconduct. Consequently, no administrative action was taken and no corrective action measures are recommended nor contemplated.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.


Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 9/20/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 9/24/12

County of Los Angeles
Summary Corrective Action Plan

Chief Executive Office Risk Management Branch

Name: . LEO COSTANTINO	
Signature: 	Date: 10/5/2012

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